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Shilluk were perhaps more prosperous cattle-owners and the rates of bridewealth were higher.

There is in fact no evidence that the number of cattle paid as bridewealth was ever higher than ten, though it may have been so in the era preceding Turkish times. During the *Mahdia*, and for some time after, when the Shilluk had even less cattle than they have now, the transfer of more than two head as bridewealth seems to have been exceptional. But in the more prosperous period which followed, when cattle increased, there was an aftermath of claims dating back to marriages contracted at an earlier date. Some of these claims were upheld in the Courts established by the Government; a procedure which no doubt fostered the belief that the rate of ten head of cattle was unalterable and amounted to the enforcement of obligations which would not otherwise have been honoured. Latterly, the Administration has made attempts to reduce the bridewealth rate. At times in recent years, presumably after epidemics which have sometimes nearly halved the cattle population in the course of twelve months, ten head of cattle as bridewealth has been excessive, with varying results all naturally considered undesirable by the Administration. First, there has been a marked increase in litigation over bridewealth claims. Young men, having started the processes of marriage and made some initial payments of cattle, have then absconded with their brides and refused to honour further obligations. Second, since suitable husbands with sufficient cattle are not to be found, Shilluk girls, unable to marry the men of their choice, in an age when some degree of emancipation has been the result of alien government, tend to drift into the towns as concubines and prostitutes.[1] This process has an equally undesirable corollary. The young men, unable to marry, are more inclined to illicit love affairs, with the result that adultery has increased with a consequent rise in litigation. Finally, the Shilluk have taken to marrying their daughters to Nuer or Dinka who are easily able to find the ten head of cattle required. This process, though not necessarily undesirable in itself, has the effect of aggravating the position, because Shilluk men find it even harder to acquire wives. Without this absorption of Shilluk girls by intermarriage with other tribes or by the process of detribalization, their guardians might be prepared to accept smaller numbers of cattle as they undoubtedly did during the impoverished times of the *Mahdia*.

There have been many discussions, recorded in Government files, of the necessity for reducing the amount of bridewealth and it is clear that Shilluk chiefs and notables have themselves been acutely aware of the need to do so. Yet, despite resolutions made at Shilluk Council meetings, no alteration has in fact occurred.

Divorce and the Dissolution of Marriage

Divorce laws among the Shilluk are, in principle though not in detail, similar to those current among other Nilotic tribes. We must here distinguish between what may be called 'active divorce', when both parties are still living, and 'dissolution of legal union', which sometimes follows the death of the wife.

[1] Encouraged perhaps by the removal of customary deterrents. The 10th meeting of the Shilluk Council (1933) records: 'Chiefs are warned that the following customary "punishments" for a woman are forbidden and will be followed by imprisonment:
(1) Tying her up in a cut and half decorating her.
(2) Tying her up outside at night for the mosquitoes to bite her.
(3) Smoking her in a closed up house.
(4) Sticking thorns up her finger nails.
The Government does not object to the lawful guardian of a woman or a girl giving her reasonable correction with the palm of his hand, or a light whip, but beating with a stick is also forbidden.

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thiep

One other offence which is recognized by the Shilluk and is also known to Nuer and Dinka is *thiep*. This refers to fornication with a woman who is pregnant or nursing. Should the woman abort the child, or the child die subsequently, four head of cattle are claimed. This applies, of course, only to married women and in effect means that a man must pay four head of cattle for adultery where in other circumstances he would only pay two.

Sexual Offences Concerning Female epiceks

It is a rigid rule among the Shilluk that no female *epiceks*[1] may marry or indeed have sexual relations with any man. It is possible that in the past they were more strictly guarded and deterrents in the form of severe punishment were more rigidly applied.

Seligman says,

> ... the daughters of a king must remain unmarried, the alleged reason for this being that it is unbecoming that the daughter of a king should marry a commoner, while she could not marry a *nimer* (king's son) since this would be incest. The prohibition of marriage does not, however, extend to all intercourse; a king's daughter is allowed to select lovers as she chooses, and nothing is said so long as it is not publicly known that she has become pregnant; but if this were discovered she would be killed, as would also the man responsible for her condition. This rule, which until recently appears to have been strictly carried out, led to frequent production of abortion.[2]

This *rule* is still insisted on by the *reth*, though clearly it is ineffective nowadays since *epiceks* have become something of a problem to the Administration. Writing in 1946, Thomson says that female *epiceks* can be divided into two classes: (*a*) those who cohabit with Police and 'Malakia' (detribalized urban elements) and (*b*) those who live in Shilluk country.

The former class appears to be numerous, and has gained notoriety owing to its pursuing its trade largely in Malakal. I believe it forms a small minority of female *epiceks*. Some of them live faithfully with their unmarried husbands, others are more flighty and others again are prostitutes. As long as these *epiceks* remain in Malakal or Kodok they are merely objectionable on moral grounds.

The latter class is a menace to tribal society. Their habits are similar to the female *epiceks* who connect with 'Malakia', but in this case the 'husband', being of Shilluk blood, feels bound by tribal custom and its distortions. The tribal custom appears to be that the first time a female *epiceks* becomes pregnant the lover has to pay ten head of cattle (*dwor*) to the *reth*. In the old days it was held to be a disgrace for a female *epiceks* to give birth and abortion was frequently practised. The ten head of cattle to the *reth* would not be objectionable, if it could be looked on as bride-price (which it is not). If this were so, the *reth* would have a personal interest in the fidelity of the *epiceks*, as the bride-price would, of course, be returnable on divorce. It would be right that this bride-price should go to the *reth* as being either father of the girl or in *loco parentis*.

This custom has, I think, largely fallen into contempt and I doubt whether the number of cattle reaching Fashoda amounts to very much. This does not mean that the lot of the

[1] *Nyiwak*, daughter or son of a *reth*.

[2] Seligman, e.g. 'The Cult of Nyakang and the Divine Kings of the Shilluk'. *Report of the Wellcome Tropical Research Laboratories*, Khartoum, 1911, p. 228.

17: Pumphrey G-5 (1934-1938) 1941
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married and living with him. It varies from four head of cattle to one bull, its different types being :—

Kuor yar ric dhuoc	— for making pregnant the wife of another	4 head of cattle
Kuor yar nion a fur	— for making pregnant an unmarried girl (or one who, although married, is still living with her own *gol*)	3 head of cattle
Kuor kuoke ric dhuoc	— for having relations with a married woman without resulting pregnancy	2 head of cattle
Kuor kuoke nion a fur	— for having relations with an unmarried girl without resulting pregnancy (or with one who, although married, is still living with her own *gol*)	1 head of cattle

Provided the appropriate payment is promptly made these cases produce little ill feeling. No *kuor* is payable where a man has relations with the wife of his brother or of his father (other, of course, than his own mother). In fact little resentment is felt in such cases, especially if the offender is unmarried, the realistic view prevailing that it is better so than that he should incur cattle payments by exploits elsewhere.

Sexual offences are seldom disputed. Those resulting in pregnancy come to light inevitably, for the girl will be questioned and will reply truthfully; nor will a man thus named ever deny. Cases not resulting in pregnancy come to light only when the woman, whether after marriage or before, is giving birth to a child. Shilluk mothers think that their labour is facilitated if they name to the attendent midwife every man with whom they have had relations. News is brought to her family of the names uttered and the woman's *gol* hasten to claim the requisite *kuor* from every man named. Sometimes as many as five bulls are claimed from five separate men, but sometimes when too many paramours are named the girls' *gol* are ashamed and do not claim at all. Although women who go to live in the towns often become prostitutes there is no prostitution in tribal life. Since the marriage age for men is on the average as high as twentyeight extra marital relations are not uncommon.

Children born outside marriage may be taken on by the man who eventually marries their mother. If so then he is made to pay extra for them at the rate of five head of cattle for a daughter and two for a son.

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beings have no motive power other than divine impulse. They are moved always by God. Thus *yi kal Juok* (you have been brought by God) takes the place of *yi bi* (you have come) which is a normal form of greeting among friends.

When the conversation relates to or is being carried on with the *Reth* himself, more complicated modifications are necessary. Objects used by the *Reth* are called differently from their normal names. There are many examples, most of which have been given by Professor Westermann. It is interesting that the names which objects assume owing to their association with the *Reth* are always names of similar but inferior objects. Thus his beer is called "water," his donkey is called his "dog," his spear is his "stick" and, strangest perhaps of all his head is his "pebble."

Elaborate circumlocution is necessary when enquiring about childbirth. A married woman can hardly be asked if she has children or how many had she got. Even a husband should not be asked outright whether or not his wife had produced him children. The husband will be asked "has your wife found something small?" or "has your wife been helped by God?" It is also very bad manners to ask a woman what is the name of her husband.

These conventions might lead one to suppose that matters of sex were regarded as delicate *per se*, but this is hardly the truth. Outside wedlock there is no nicety. An unmarried girl will be asked with brutal frankness "*yi yuci nien*" ("you were made pregnant by whom?") and here the word is the same as that used in talking of domestic animals. The inference is that delicacy is required not because the subject relates to sex but only if and when it touches upon the marriage tie.

No one can deny that the Shilluk are by our standards brutal. Their code dictates that a man may be killed for a man, quite irrespective of the victim's guilt provided only he is from the clan of the killer of the man avenged.

Their moral code, though peculiar, is definite and strictly observed. The marriage tie is not sacrosanct, but rape, as also prostitution, is almost unknown. Both are regarded with abhorrence.